

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Wurster et al. Confirmation No.: 7425
Serial No.: 10/632,803 Art Unit: 2614
Filed: August 4, 2003 Examiner: AL AUBAIDI, RASHA S
Title: TELEPHONE NETWORK CONTROL SYSTEM AND METHOD

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF THE HOLDING OF ABANDONMENT
(NO ABANDONMENT IN FACT)

A Notice of Abandonment was mailed on June 13, 2006, stating that the above-identified application is abandoned for failure to timely file a proper reply to the Office Action mailed June 6, 2005. On June 15, 2006, Applicants submitted proof of filing of a proper response in the form of an Request for Continued Examination (RCE) with a fee authorization statement filed November 7, 2005, with a Petition for Extension of Time (EoT). Applicants have received no further reply and are thus filing a Request for Reconsideration of the Holding of Abandonment (No Abandonment in Fact).

Applicants submit that the RCE and EoT were timely filed on November 7, 2005. Attached herewith is a copy of the RCE, EoT, Applicants facsimile receipt dated November 7, 2005 (including the facsimile markings from the resubmission June 13, 2006), and the USPTO Auto-Reply Facsimile Transmission dated November 7, 2005 (Exhibit A). Further submitted is a copy of Applicants' Letter of June 15, 2006, stating that the RCE and EoT were timely filed (Exhibit B).

Each of these documents is also viewable in the Image File Wrapper (IFW), however, the RCE is erroneously dated as June 15, 2006, rather than November 7, 2005. Applicants request correction of the date in IFW to accurately reflect the date of submission.

In view of the above facts, Applicants submit that there has been no abandonment in fact and respectfully request reconsideration of the holding of abandonment of the present application.

Applicants believe that no fee is due. However, should the Commissioner deem a fee due in connection with this paper, please charge any shortage in fees, including extension of time fees, to Deposit Account 07-2347 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: April 6, 2007

/Eden U.I. Stright/
Eden U.I. Stright
Registration No. 51,205

Verizon
1515 Courthouse Road, Suite 500
Arlington, VA 22201-2909
Tel: 703.351.3586
Fax: 703.351.3665

EXHIBIT A

USPTO 11/7/2005 12:53 PM PAGE 1/001 Fax Server
 Auto-reply fax to 9727183948 COMPANY:

01-VER2.40C1RC1
 RCE
 11/7/05

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 9727183948

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Verizon

Intellectual Property Law Group

Verizon Corporate Services Group Inc

To: U.S. Patent and Trademark Office - From: Christian R. Anderson
 MAIL STOP: RCE
 Examiner: Rasha A. AL AUBADI
 Group Art Unit: 2842
 Confirmation No.: 7423

Speculation - Intellectual Property

Page 3
 with
 Cover

Formal Submission Of:

1) Petition for Two (2) Month Extension of Time, and 2) Request for Continued Examination (RCE) Transmitted.

Title: TELEPHONE NETWORK CONTROL SYSTEM AND METHOD
 Serial No.: 10/832,802
 Filing Date: August 4, 2002
 First Named Inventor: John M. WURSTER
 Atty. No.: 01-VER2.40C1RC1
 Customer Number: 32127

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-stated documents are facsimile transmitted to the Patent and Trademark Office on the date shown below:

Christian R. Anderson
 Christian R. Anderson

Date of Transmission: November 7, 2005

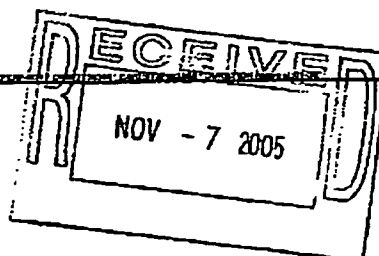
Note:

01-VER2.40C001

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C9 (1)



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JUN 15 2006



Intellectual Property Law Group

Verizon Corporate Services Group Inc

600 Hidden Ridge Drive
Irving, Texas 75038
MailCode HQE03H14
Phone: 972/718-4800
Fax: 972/718-3946
E mail:
christian.andersen@verizon.com

To: U.S. Patent and Trademark Office – From: Christian R. Andersen
MAIL STOP: RCE Specialist – Intellectual Property
Examiner: Rasha A. AL AUBAIDI
Group Art Unit: 2642
Confirmation No.: 7425

Fax: 571-273-8300 Pages
with 3
Cover:

FORMAL SUBMISSION OF:

- 1) Petition for Two (2) Month Extension of Time; and
- 2) Request for Continued Examination (RCE) Transmittal.

Title: TELEPHONE NETWORK CONTROL SYSTEM AND METHOD
Serial No. 10/632,802
Filing Date: August 4, 2003
First Named Inventor: John H. WURSTER
Atty. No. 01-VE22.40C1RC1
Customer Number: 32127

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RESULT	OK	



Intellectual Property Law Group

Verizon Corporate Services Group Inc

600 Hidden Ridge Drive
Irving, Texas 75038
MailCode HQE03H14
Phone: 972718-4800
Fax: 972718-3946
E mail:
christian.andersen@verizon.com

To: U.S. Patent and Trademark Office – From: Christian R. Andersen
MAIL STOP: RCE Specialist – Intellectual Property
Examiner: Rasha A. AL AUBAIDI
Group Art Unit: 2642
Confirmation No.: 7425

Fax:	571-273-8300	Pages with 3 Cover:
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FORMAL SUBMISSION OF:

- | | |
|---|---|
| 1) Petition for Two (2) Month
Extension of Time; and | 2) Request for Continued
Examination (RCE)
Transmittal. |
|---|---|

Title:	TELEPHONE NETWORK CONTROL SYSTEM AND METHOD
Serial No.	10/632,802
Filing Date:	August 4, 2003
First Named Inventor:	John H. WURSTER
Atty. No.	01-VE22.40C1RC1
Customer Number:	32127

CERTIFICATE OF FACSIMILE TRANSMISSION

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PTO/SB/30 (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/632,803
Filing Date	August 4, 2003
First Named Inventor	John H. WURSTER
Art Unit	2642 - Conf. 7425
Examiner Name	Rasha A. AL AUBAIDI
Attorney Docket Number	01-VE22.40C1RC1

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1 Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply previously filed on October 6, 2005.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2 Miscellaneous

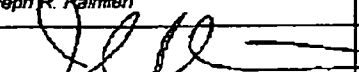
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.117(n) required)
- b. ☐ Other _____

3 Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-2347
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e) **\$790.00**
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17) \$ _____
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

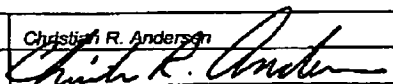
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Joseph R. Palmieri	Registration No. (Attorney/Agent)	40,760
Signature		Date	November 7, 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document is being transmitted via facsimile to the Patent and Trademark Office on the date shown below

Name (Print / Type)	Christian R. Andersen	Date	November 7, 2005
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450

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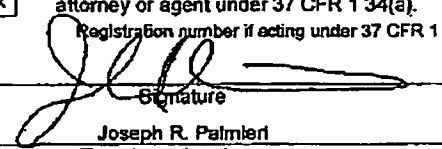
JUN 15 2006

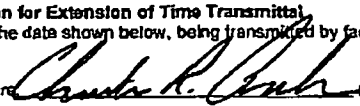
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (fees effective on or after December 8, 2004)		Docket Number (Optional) 01-VE22 40C1RC1	
Application Number 10/632,803		Filed August 4, 2003	
For TELEPHONE NETWORK CONTROL SYSTEM AND METHOD			
Art Unit 2642 - Confirmation No. 7425		Examiner Rasha A. AL AUBAIDI	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	<u>Fee</u> \$120 00	<u>Small Entity Fee</u> \$60 00 \$
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$450 00	\$225 00 \$ 450.00
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1,020 00	\$510 00 \$
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1,590 00	\$795 00 \$
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2,160 00	\$1,080 00 \$
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27			
<input type="checkbox"/> A check in the amount of the fee is enclosed			
<input type="checkbox"/> Payment by credit card Form PTO-2038 is attached			
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>07-2347</u> I have enclosed a duplicate copy of this sheet			
I am the <input type="checkbox"/> applicant/inventor			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.			
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)			
<input type="checkbox"/> attorney or agent of record Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34(a).			
Registration number if acting under 37 CFR 1.34(a) <u>40,760</u>			
 Signature		<u>November 7, 2005</u> Date	
<u>Joseph R. Palmieri</u> Typed or printed name		<u>(972) 718-4800</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of <u>1</u> forms are submitted.			

Petition for Extension of Time Transmittal I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the United States Patent Office at 571-273-8300	
Dated: November 7, 2005	Signature  (Christian Andersen)

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EXHIBIT B

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JUN 15 2006

FAX TRANSMISSION

DATE: June 15, 2006

PTO IDENTIFIER: Application Number 10/632,803-Conf. #7425
Patent Number

Inventor: John H. Wurster

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: 571-273-8300

FROM: FULBRIGHT & JAWORSKI L.L.P.

Michael J. Strauss MSD1404

PHONE: (202) 662-4632

Attorney Dkt. #: WO-414.035 COM/09908721

PAGES (Including Cover Sheet): 8

CONTENTS: Letter to USPTO
5 Pages of documents indicating RCE filed 11/7/05
Certificate of Transmission (1 page)

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801 Pennsylvania Avenue, N.W., Washington, DC 20004-2623
Telephone: (202) 662-0200 Facsimile: (202) 662-4643

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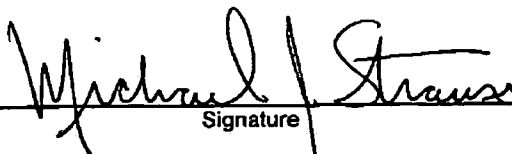
Application No. (if known): 10/632,803

Attorney Docket No.: WO-414035CON

Certificate of Transmission under 37 CFR 1.8

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on June 15, 2006
Date



Signature

Michael J. Strauss

Typed or printed name of person signing Certificate

32,443

Registration Number, if applicable

(202) 662-4632

Telephone Number

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Letter to USPTO

5 Pages of documents indicating RCE filed 11/7/05

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JUN 15 2006

Docket No.: WO-414.035 CON
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John H. Wurster

Application No.: 10/632,803

Confirmation No.: 7425

Filed: August 4, 2003

Art Unit: 2642

For: TELEPHONE NETWORK CONTROL
SYSTEM AND METHOD

Examiner: R. S. Al Aubaidi

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith are copies of a (i) Request for Continued Examination (RCE) and (ii) Petition for Extension of Time as originally filed on November 7, 2005 in connection with the above identified patent application. Included are documents evidencing the earlier filing date including an Auto-Reply Facsimile Transmission received from the U.S.P.T.O., a Certificate of Facsimile Transmission, and facsimile transmission confirmation sheet. It is understood that the retransmission will be forwarded to the Art Unit for further action.

Dated: June 15, 2006

Respectfully submitted,

By 

Michael J. Strauss

Registration No.: 32,443

FULBRIGHT & JAWORSKI L.L.P.

801 Pennsylvania Avenue, N.W.

Washington, DC 20004-2623

(202) 662-0200

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Attorney for Applicant